

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

JOHN DIEKMAN : CIVIL ACTION
:
vs. :
: NO. 02-4681
ENERGY CHOICE MARKETING, INC. :
SHAI FISHMAN, S & D MARKETING :
INC., and CONSUMER CHOICE, INC. :

ORDER

AND NOW, this day of November, 2002, upon
consideration of the Motion of Plaintiff, John Diekman to Dismiss
Count I of the Counterclaim filed by Defendants Energy Choice
Marketing, Inc. and Consumer Choice, Inc., and it appearing to
the Court that the Motion is uncontested, it is hereby ORDERED
that the Motion is GRANTED and Count I of the said defendants'
counterclaim is DISMISSED. See: Local Rule of Civil Procedure
7.1(c).

BY THE COURT:

J. CURTIS JOYNER, J.